

Customer No. 24498
Attorney Docket No. INVTEL04001
Office Action Dated: July 9, 2010

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Remarks/Arguments

Claims 1-26 remain pending in the application. No amendments have been made to the claims in this response.

Claims 1-4, 6-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 6,757,269 (hereinafter "Dorenbosch") in view of US Patent No. 6,826,387 (hereinafter "Kammer").

Applicants respectfully traverse this rejection for at least the following reasons.

Claim 1 recites, in part, the following:

"a first interface adapted to allow the IP access point to communicate with the point-to-point communication module wherein the first interface is adapted to be presented to an electronic device communicating in IP mode with the IP access point, in the form of at least one virtual port and the said first interface is adapted to be controlled by the said electronic device by means of control instructions" (emphasis added).

Dorenbosch and Kammer, alone or in combination, do not recite the first interface.

The Examiner contends that the *"said first interface is adapted to be controlled by the said electronic device by means of control instructions"* is recited in Dorenbosch as the communications program. Applicants respectfully disagree.

Referring to Figure 1 of Applicant's application (i.e., US2008/0253339), the first interface of the claimed invention allows the wireless phone 5 to view terminal 1 as the printer 3. Since the wireless phone sees terminal 1 as the printer 3, the wireless phone 5 can send control instructions to the printer 3 to print data from the wireless phone 5 onto the printer 3 (paragraphs [61] – [62]).

In another example, the terminal 1 is viewed by the computer 2 as a virtual port that can be controlled by the computer 2. Wireless devices, such as the PDA 4 and/or the wireless phone 5, can be communicating with terminal 1 through the point-to-point communications

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module 1a at the same time. The first interface allows the computer 2 to control the PDA 4 and/or the wireless phone 5 through control instructions, such as the well-known 'AT' commands. For example, computer 2, through the first interface, would be able to perform control instructions, such as, resetting the PDA, setting the PDA's passkey, disabling the PDA's page scanning, etc.

Claim 1 explicitly recites that "*the said first interface is adapted to be controlled by the said electronic device by means of control instructions.*" The Examiner contends that Dorenbosch recites this feature as the communications program 112 at col. 2, lines 17-36 ("a communications program 112 for programming the processor 104 to cooperate with the first and second wireless transceivers 102, 108 and with the network interface 106 to control communications"). The Examiner contends that the communications program 112 of Dorenbosch is a software controlled port and that the electronic device is the processor 104. Applicants respectfully disagree.

First, the network interface 106 of Dorenbosch is not referred to in Dorenbosch as a software controlled port. In fact, Dorenbosch recites that the network interface 106 is embodied in hardware elements, such as a wired transceiver and other well-known hardware transceivers (see col. 1, lines 65 – col. 2, lines 1 – 7). Nowhere in Dorenbosch does it recite that the network interface 106 is a software controlled port. Furthermore, the language of claim 1 does not recite a software controlled port rather a virtual port.

Second, claim 1 recites that the electronic device communicates in IP mode with the IP access point. The processor 104 of Dorenbosch cannot be the electronic device of claim 1 since it does not communicate in IP mode with the IP access point.

Next, the cited section in Dorenbosch recites that a communications program permits the flow of information between the network interface and the first and second wireless transceivers. However, the cited section does not recite that an electronic device connected to the network interface 106 can control the communications program 112. This is because the communications program is used to facilitate communications with the first or second

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wireless transceiver and the network interface (see Dorenbosch, col. 2, lines 26 – 36: “The memory 110 comprises a communications program 112 for programming the processor 104 to cooperate with the first and second wireless transceivers 102, 108 and with the network interface 106 to control communications therewith ...”). In fact, the communications program is not visible to any electronic device outside of the mobile wireless router. The communications program 112 runs on a processor with no mechanism for it to be controlled by any electronic device outside of the mobile wireless router. Accordingly, Dorenbosch does not recite the first interface feature of claim 1.

Kammer does not disclose the first interface feature of the claimed invention. The Examiner contends that Kammer recites a virtual port which can be combined with the system of Dorenbosch to produce the first interface. Applicants respectfully disagree.

The virtual port in Kammer is used to emulate a wired connection, such as a serial cable. There are legacy applications running on Bluetooth devices that require a wired connection. The virtual port of Kammer emulates the wired connection so that these legacy applications still work on the Bluetooth devices that no longer have such a wired connection. However, the virtual port in Kammer is not the first interface of the claimed invention. The first interface of the claimed invention is adapted to be controlled by an electronic device by control instructions. Clearly, this differs from emulating a serial cable.

There is no motivation to combine Dorenbosch and Kammer.

One skilled in the art would not be motivated to combine Dorenbosch and Kammer since the combination does not produce the claimed invention. As noted above, neither Dorenbosch nor Kammer, alone or in combination, recite the first interface feature of claim 1. Therefore, the combination does not produce the claimed invention.

Furthermore, one skilled in the art would not be motivated to combine Dorenbosch and Kammer since the combination would produce unexpected results. In Kammer, the virtual port is intended to replace a RS232 serial cable. These cables are not intended for use in routers to route traffic to different devices. If one were to use the virtual port of Kammer in

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the router of Dorenbosch to route traffic, the router would consume significantly more time and bandwidth to the point of where the traffic between devices would not flow.

Additionally, the architecture and functionality of a router is entirely different from that of a PC, and the software environment in which a virtual port is implemented is simply not present on a router. Applicants respectfully submit that a router would have to be modified beyond its normal function in order to benefit from connecting to a legacy application as in Kammer, since routers are designed to allow the interconnection of the devices themselves. Therefore, one skilled in the art would not be motivated to combine the references as suggested in view of the technical differences in the devices of Kammer and Dorenbosch.

In addition, one skilled in the art would not be motivated to combine Dorenbosch and Kammer since they do not solve the same problem as the claimed invention. Dorenbosch is concerned with optimizing the traffic flow on a wireless link between terminal equipment and a packet data network in a manner that is less dependent on the reliability of a cellular infrastructure (Dorenbosch, col. 1, lines 38 – 42). Kammer is concerned with registering a service record for a legacy application running on a virtual serial port of a Bluetooth enabled device (Kammer, col. 1, lines 10 – 12). The claimed invention pertains to facilitating communication between an electronic device that communicates with an IP access point and a terminal that communicates with a point-to-point communication module. Each of these references solves a different problem. As such, one skilled in the art would not look to Dorenbosch's traffic flow optimization problem or Kammer's service record registration problem to solve the problem of the claimed invention.

Accordingly, claim 1 is patentably distinguishable over Dorenbosch and Kammer, alone and in combination. The remaining dependent claims recite the above-referenced features, and are believed to be patentably distinguishable over Dorenbosch and Kammer for the same reasons as discussed with respect to claim 1.

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Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Dorenbosch in view of Kammer and in further view of US Patent Application Publication 20040146072 (hereinafter Farmwald).

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Dorenbosch in view of Kammer and in further in view of Farmwald. Applicants respectfully traverse this rejection since Farmwald is unable to remedy the deficiencies of Dorenbosch and Kammer explained above in conjunction with claim 1. Accordingly, withdrawal of the rejection is respectfully requested.

Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited.

In view of the foregoing, Applicants solicit allowance of the claims. If the Examiner cannot take such action, the Examiner should contact the Applicant's attorney at (609) 734-6815 to arrange a mutually convenient date and time for a telephonic interview.


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